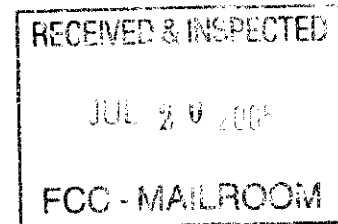


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To: Federal Communications Commission **From:** Bill Lytle, Superintendent

Fax: 202-418-0187

Pages: 3

Phone:

Date: July 20, 2005

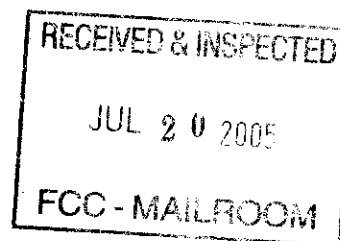
Re: FRN1122741

CC:

☒ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

Contact Name: Tamara Campbell
979-388-9450
979-388-9451 Fax
tlcampbe@brazosport.cc.tx.us



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**VAN ALSTYNE
INDEPENDENT SCHOOL DISTRICT**

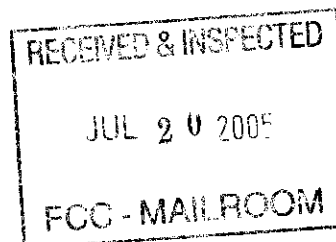
*Bill Lytle, Superintendent
Dr. Pam Parmley, Assistant Superintendent*

P.O. Box 518
Van Alstyne, TX 75495

Phone: (903) 482-8802
Fax: (903) 482-6086

July 20, 2005

Letter of Appeal CC Docket No. 02-6
Federal Communications Commission
Office of the Secretary
445- 12th Street, SW
Washington, DC 20554
Fax: **202-418-0187**



To Whom It May Concern:

This letter is a Request for Review of an appeal of the Funding Commitment Decision Letter dated December 3, 2004 for Funding Year 2004 for the Van Alstyne Independent School District, Billed Entity Number 140629, regarding Form 471 application number 406299. The original appeal has been denied by the SLD.

The contact person for this appeal is Tamara Campbell, 1429 E. Kyle Rd., Clute, TX 77531. Telephone number 979-388-9450; fax number 979-388-9451; email address: tlcampbe@brazosport.cc.tx.us.

This appeal is for FRN 1122741 that was denied because *30% or more of this FRN includes a request for Dark Fiber which is an ineligible service based on program rules*. The fiber in question is in fact fully functional and a letter was provided by the service provider stating as such. The "Administrator's Decision on Appeal" letter states that the letter provided by the service provider does justify the dark fiber situation, however, it *"describes a situation that gives the school district exclusive access to the WAN facilities, which is a violation of the applicant ownership prohibition."* The letter in question does not state "exclusive ownership" as implied by the SLD's denial of the appeal. The fiber in question meets all of the approved descriptions of an eligible service. It is not for the exclusive use of the district, it is not nor will it ever be owned by the district, it is maintained by the service provider, which is a telecommunications provider, and it is the most cost effective way to provide Internet access service throughout the district.

Please contact us for any additional information needed.

Sincerely,

Bill Lytle
Superintendent
903-482-8802
bglytle@ednet10.net



Grayson-Collin Electric Cooperative

902 North Waco • Post Office Box 548

Van Alstyne, Texas 75495-0548

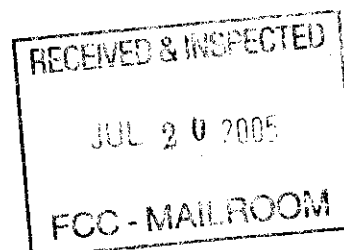
Tel: (903) 482-7100

Fax: (903) 482-5906

July 20, 2005

**FCC, Office of the Secretary
445 12th Street Southwest
Washington, DC 20554**

**Van Alstyne Independent School District
Attn: Mr. Bill Lytle, Superintendent
PO Box 518
Van Alstyne, Texas 75495**



To FCC, Office of the Secretary and Mr. Bill Lytle, Superintendent VAISD:

The fiber optic cable in question is not for the exclusive use of the Van Alstyne Independent School District. There are approximately 3,000 other customers using this fiber optic cable.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. McGinnis".

**David McGinnis
General Manager/CEO**